



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 06-279
ACTION AGAINST)	
)	Notice of Administrative
Patricia Davis)	Charges
)	
Respondent.)	
)	

IT IS ALLEGED as follows:

I. JURISDICTION

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all of its exhibits by reference.

II. ALLEGATIONS

2. Patricia Davis was a candidate in the September 18, 2001 primary election and the November 6, 2001 general election for Port of Seattle Commissioner. Ms. Davis violated RCW 42.17.080 and .090 as follows:

- a. By failing to timely file her May 2001 C-4 report. The report was filed 8 days late and included \$7,470 in contributions and \$7,544 in expenditures.
- b. By failing to timely file her June 2001 C-4 report. The report was filed 6 days late and included \$15,178 in contributions and \$4,201 in expenditures.
- c. By failing to timely file her 21-day pre-primary C-4 report. The report was filed 10 days late and included \$4,730 in late filed contributions and \$1,500 in late filed expenditures.
- d. By failing to timely file her 7-day pre-primary C-4 report. The report was filed 49 days late and included \$10,000 in contributions and \$37,571 in expenditures.



e. By failing to timely file her 7-day pre-general C-4 report. The report was filed 20 days late and included \$25,030 in contributions and \$17,372 in expenditures.

f. By failing to timely file her post-general election C-4 report. The report was filed 99 days late and included \$13,290 in contributions and \$8,839 in expenditures.

g. By failing to timely file her February 2002 C-4 report. The report was filed 9 days late and included \$180 in contributions and \$13,956 in expenditures.

h. By failing to timely file 11 C-3 reports. The reports were filed between 4 and 99 days late and included total contributions between \$180 and \$25,030.

3. Ms. Davis violated RCW 42.17.125 as follows:

a. By accepting \$1,200 in excess of the allowable limit for repayment of a loan she made for her primary election campaign.

b. By accepting \$4,854 in excess of the allowable limit for repayment of a loan she made for her general election campaign.

III. RELEVANT LAW

4. RCW 42.17.080 and .090 require candidates to file timely, accurate reports of contributions and expenditures. Reports of contributions and expenditures are required monthly except for special reports due 21 and 7 days before the primary and general elections. In addition, detailed reports of contributions received must be filed for each bank deposit. These reports must be filed monthly until the fourth month before the election when detailed contribution reports are required weekly.

5. RCW 42.17.125 limits repayment of a candidate's loans made to his or her campaign. During the 2001 election, this limit was \$3,800 for loans made for the primary election and \$3,800 for loans made for the general election.

IV. FACTS SUPPORTING ALLEGATIONS

4. Patricia Davis was a candidate in the September 18, 2001 primary election and the November 6, 2001 general election for Port of Seattle Commissioner. Ms. Davis selected the full

reporting option which requires frequent and detailed reports of contributions and expenditure activities. For the 2001 campaign, Ms. Davis had a paid campaign Treasurer, Denton Kiehle.

5. The following is a summary of Ms. Davis' required reports that were not timely filed, the date they were due, the date they were filed, the number of days they were late, and the amount of money not reported timely:

Report Title	Due Date	Date Filed	Days Late	Amount of Contributions and/or Expenditures
May C-4	6/7/01	6/15/01	8	(C) \$7,470 (E) \$7,544
C-3	7/10/01	7/16/01	6	(C) \$3,232
June C-4	7/10/01	7/16/01	6	(C) \$15,178 (E) \$4,201
C-3	7/13/01	7/24/01	11	(C) \$5,155
C-3	7/27/01	8/8/01	12	(C) \$6,325
C-3	8/3/01	8/8/01	5	(C) \$4,850
C-3	8/24/01	8/28/01	4	(C) \$4,730
21-day Pre-Primary C-4	8/28/01	9/7/01	10	(C) \$4,730 (E) \$1,500
C-3	8/31/01	9/7/01	7	(C) \$10,000
7-day Pre-Primary C-4	9/11/01	10/30/01	49	(C) \$10,000 (E) \$37,571

C-3	9/21/01	9/28/01	7	(C) \$4,056
C-3	10/5/01	10/8/01	3	(C) \$850
C-3 Report	10/26/01	11/6/01	11	(C) \$25,030
7-day Pre- General C-4	10/30/01	11/19/01	20	(C) \$25,030 (E) \$17,372
C-3 Report	12/10/01	3/19/02	99	(C) \$13,290
Post Election C-4	12/10/01	3/19/02	99	(C) \$13,290 (E) \$8,839
C-3 Report	3/10/02	3/19/02	9	(C) \$180
February 2002 C-4	3/10/02	3/19/02	9	(C) \$180 (E) \$13,956

6. The late filed reports totaled \$97,114 in contributions received and \$90,983 in expenditures incurred.

7. The 2001 campaign raised and spent \$102,408. The 21-day pre-primary C-4 was filed 10 days late and included \$4,750 in contributions and \$1,500 in expenditures. The 7-day pre-primary C-4 was filed 49 days late, 42 days after the primary, and included \$10,000 in contributions and \$37,571 in expenditures. The 7-day pre-general C-4 was filed 20 days late, 13 days after the general election, and included \$25,030 in contributions and \$17,372 in expenditures. These three late filed C-4 reports totaled \$39,760 in contributions (39 percent of total raised) and \$56,443 in expenditures (55 percent of total expenditures).

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7. Ms. Davis loaned \$5,000 to her campaign for the primary election and \$18,000 for the general election. For the 2001 elections, the limit for candidate loan repayment was \$3,800 for each election. On March 19, 2002, Ms. Davis repaid herself \$13,654 for these loans. The loan repayment included \$5,000 for the primary election loan and \$8,654 for the general election loan. The \$5,000 primary election loan repayment exceeded the \$3,800 limit by \$1,200, and the \$8,654 general election loan repayment exceeded the \$3,800 limit by \$4,854. The total excess loan repayment for the primary and general election loans was \$6,054.

RESPECTFULLY SUBMITTED this 22nd day of November, 2005.



Philip E. Stutzman
Director of Compliance